

## REMARKS

Applicants submit this Amendment in response to the Office Action of April 22, 2003.

The claims have been amended as follows. Claims 6 to 8, 10, 11, 16, 17, and 19 have been canceled, without prejudice. Claim 1 has been amended to call for the features previously called for in claim 17. Claim 20 has been amended to be an independent claim and to call for the features of all claims from which claim 20 previously depended. Claims 21 and 22 have been added to call for the features of claim 17 (now canceled) and claim 18 (pending).

### Rejections of the Claims

#### I. Rejection under 35 U.S.C. §112, second paragraph

A. Claims 19 and 20 have been rejected as being indefinite for the recitation of the term "consuming". This term is not present in the claims as amended herein. Applicants submit that the rejection of these claims on this ground is overcome and the Examiner is requested to withdraw this basis of rejection of these claims.

B. Claims 17 and 18 have been rejected as lacking antecedent basis for the term "the temperature". The claims, as amended, call for a first and second temperature. Applicants submit that the amendment of the claims overcome this basis of rejection and the Examiner is requested to withdraw this basis of rejection of these claims.

C. Claims 17 and 18 have been rejected as being indefinite for the recitation of "the inducting" and "the induction", respectively. Applicants submit that the claims, as amended, overcome this basis of rejection and the Examiner is requested to withdraw this basis of rejection of these claims.

II. Rejection of the Claims under 35 U.S.C. §103(a)

The Examiner has rejected, under 35 U.S.C. §103(a), claims 1, 3-8, 10-11, and 16 over the combined disclosure of Golightly (U.S. Patent No. 6,277,612) and Zamost (U.S. Patent No. 6,258,559). The Examiner has additionally rejected claims 2 and 19, under 35 U.S.C. §103(a), claims 2 and 19 over the combined disclosure of Golightly, Zamost, and Montague-Smith (*Analytical Biochemistry*, 207:353-355 (1992)). Applicants traverse the rejection of these claims on these grounds. Claims 17, 18, and 20 have not been rejected over the disclosure of the prior art.

In order to advance prosecution of this application, Applicants have canceled claims 6 to 8, 10 to 11, 16, and 19, and have incorporated the features of claim 17 into independent claim 1, from which all non-canceled claims depend. Claim 18 has been amended to depend from claim 1. Similarly, Applicants have amended claim 20 to be an independent claim and to incorporate the features of all claims from which claim 20 previously depended. New claims 21 and 22 depend from claim 20 and include features of claims 17 and 18.

Applicants submit that the claims, as amended herein, are patentably distinct over the disclosure of the prior art and the Examiner is requested to withdraw the rejection of the claims on this ground.

## CONCLUSION

Applicants submit that the present claims, as amended, are in condition for allowance and request an early notification to that effect. If the Examiner does not agree, the Examiner is requested to telephone the undersigned attorney of record to determine if any unresolved issues may be resolved during a telephone discussion.

Respectfully submitted,



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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 2, 2003.

Dated: 6/2/2003

  
Howard M. Eisenberg